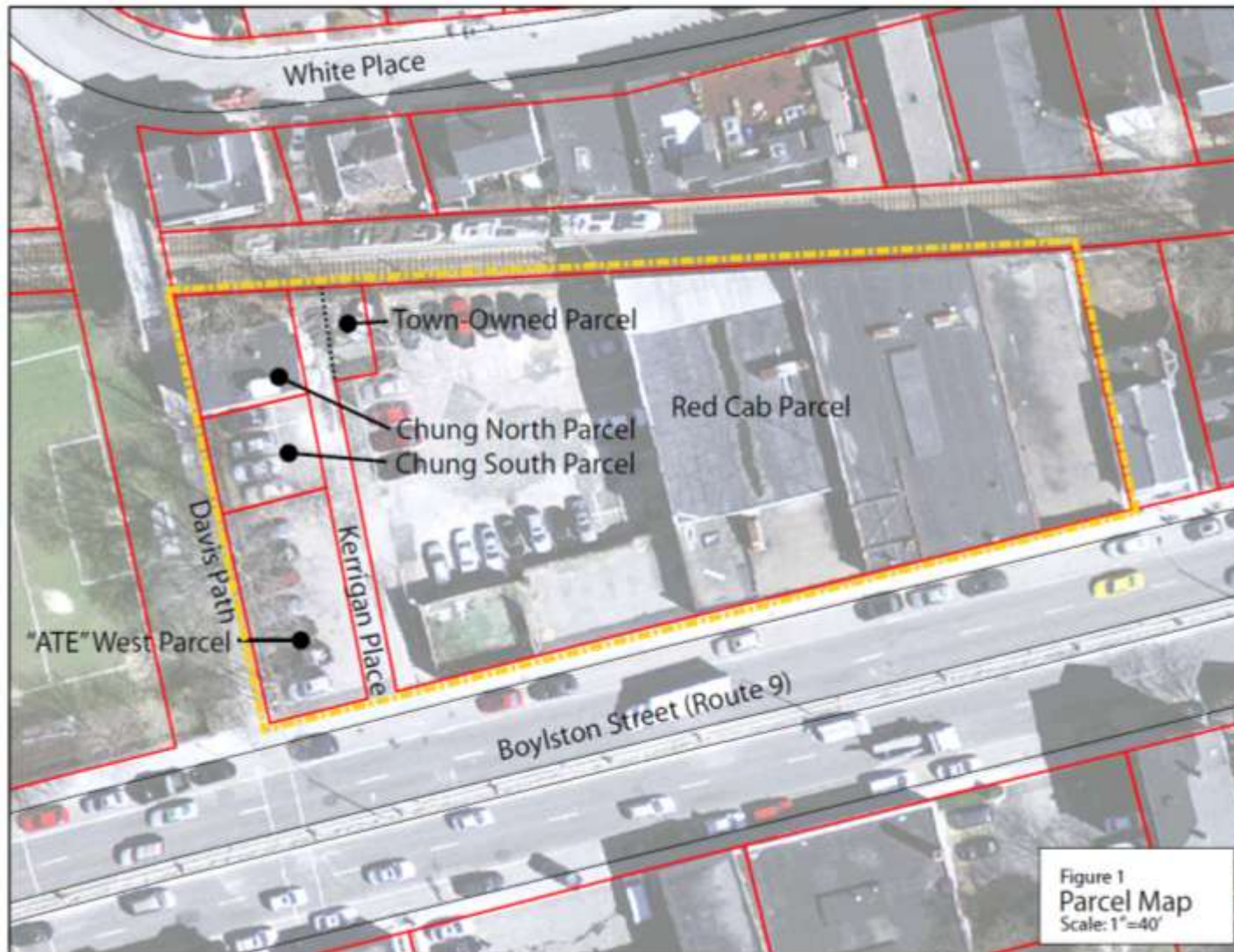


# DAVIS PATH SPECIAL DISTRICT ZONING STUDY COMMITTEE

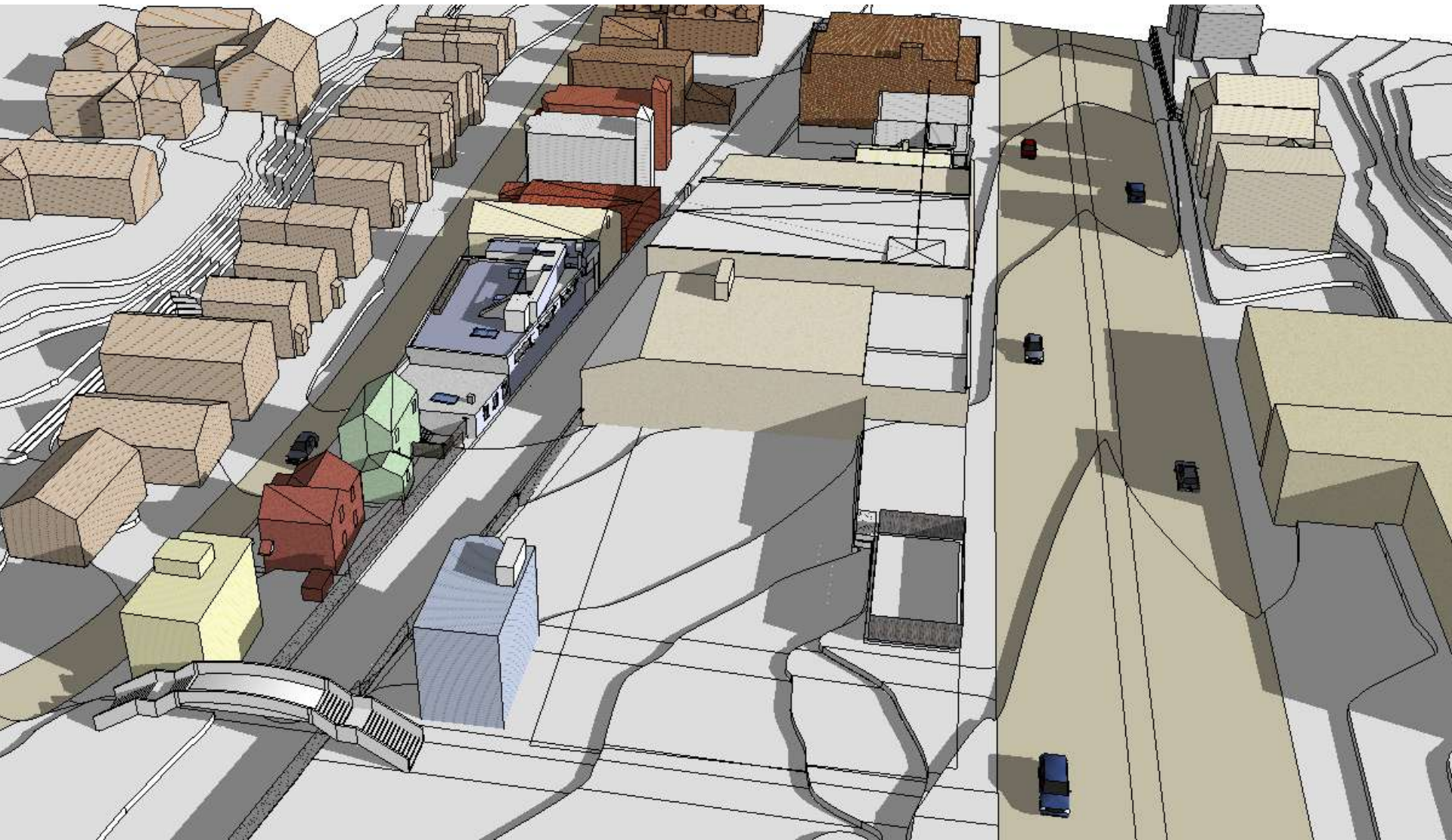
Neighborhood Forum  
January 13, 2011

# Survey Site Plan



# Existing Conditions

View at 12/21/10, noon





# Zoning History

- Prior to 1993 – I-1.0
  - ▣ Floor Area Ratio of 1.0
  - ▣ 40' height
  - ▣ Many uses including industrial
  
- 1993 Zoning Change – G-2.0
  - ▣ Both sides of Kerrigan Place
  - ▣ FAR of 2.0
  - ▣ 45' height (60' with “public benefits”)
  - ▣ Setbacks: none on front and side; 10 + L/10 on rear
  - ▣ Could pick either Rt. 9 or Kerrigan Place as front
  - ▣ Additional uses: e.g., life care, hotel, medical office, health club
  - ▣ Removed use: industrial

# Zoning History

- 2010 – temporary G-1.0 (neighborhood initiative)
  - In effect only until August 1, 2011
  - FAR of 1.0
  - 40' height
  - Setbacks: none on front and side; 10 + L/10 on rear
  - Specific 30' building setback from MBTA property line, with 1/2 landscaped
  
- 2011 ??
  - If no action by Town Meeting, reverts to G-2.0 on 8/1/11 (Leggat McCall proposal)
  - Even if Town Meeting acts, owner has filed a subdivision plan for Kerrigan East
  - Would “freeze” zoning for 8 years from approval of subdivision plan on Kerrigan East (as well as during the permitting or appeals process)
  - Would permit G-2.0 building at Kerrigan East during 8 year period after approval of plan, and does not need to be the same project or use as shown on the subdivision plan

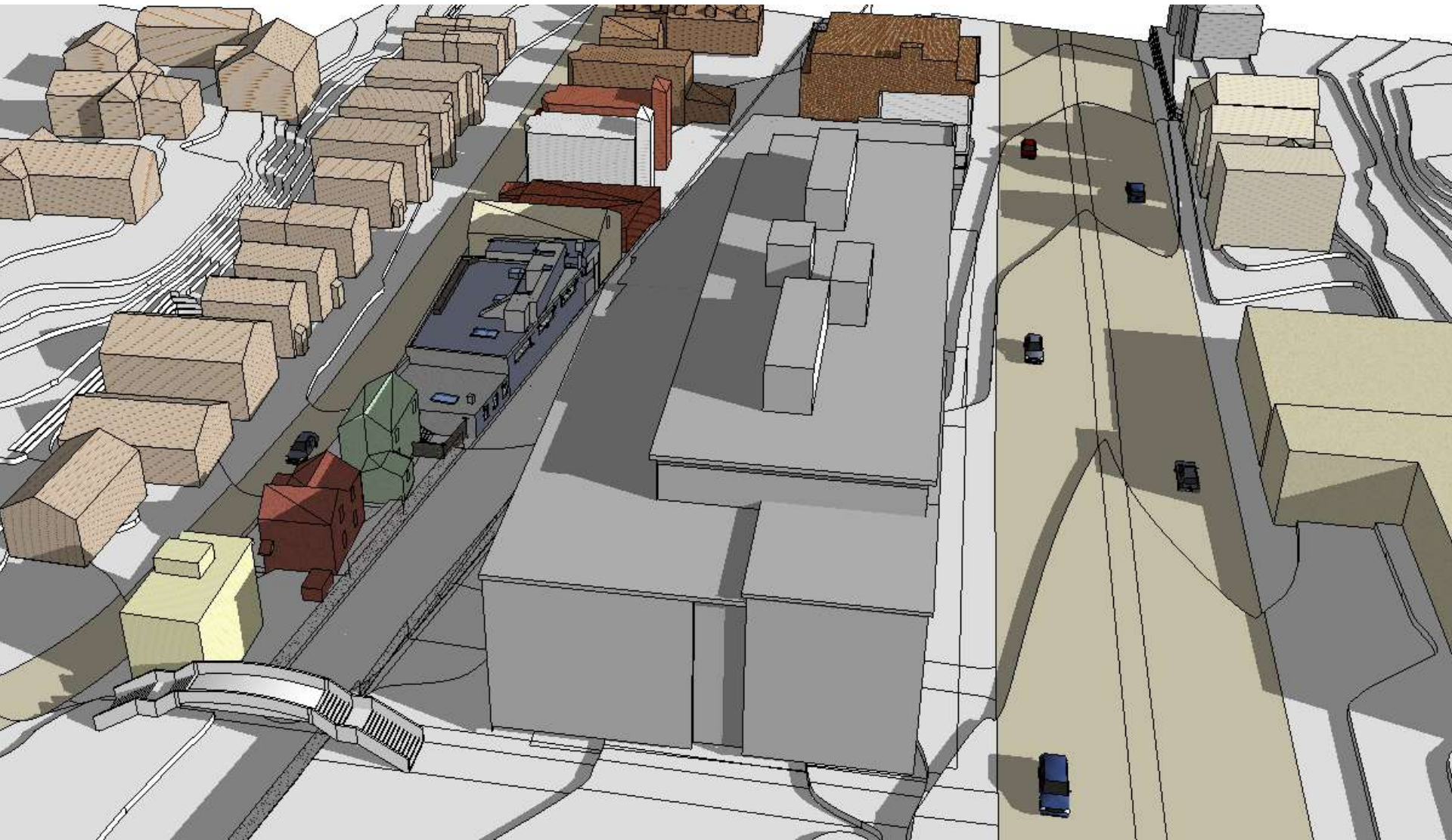
# Scenario: No Action, Reverts to G-2.0

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- Leggat McCall Building Proposal

# Leggat McCall Building

View at 12/21/10, noon



# Scenario: Eastern Parcel with Frozen Zoning





# Eastern Parcel with Frozen Zoning



# Davis Path Special District Committee

- Dick Benka – Board of Selectmen – Attorney - Chair
- Charles Baker – Advisory Committee – Attorney
- John Bassett – Community Representative – Builder
- David England – Community Representative – Preservationist
- Steve Heikin – Planning Board – Architect
- Angela Hyatt – Community Representative – Architect
- Ken Lewis – Economic Development Advisory Board – Commercial Developer
- Sergio Modigliani – Community Representative – Architect
- Charles Osborne – Community Representative – Architect
- Linda Pehlke – Community Representative – Planner
- Dan Saltzman – Community Representative – Attorney
- Paul Saner – Zoning By-Law Committee – Finance
- Bill Schwartz – Transportation Board – Transportation Planner
  
- Kara Brewton – Brookline Economic Development Director –  
617-730-2468

# Subcommittees

- Parking
  - ▣ Evaluated current zoning parking requirements
  - ▣ “Market” needs (for building and for financing) largely confirmed by real estate consultant (Pam McKinney)
- Architectural
  - ▣ Search for options with lower visual and shadow impact on neighbors
- Financial
  - ▣ Address tax revenue impacts for Town
  - ▣ Address financial viability of various options
- Why?
  - ▣ Any zoning change needs 2/3 of Town meeting
  - ▣ Must balance goals of neighborhood with financial reality

# PARKING SUBCOMMITTEE

Use	Existing Zoning Requires	Committee Recommends
Medical/Dental Office Parking spaces per thousand sq. ft.	4.0	3.0
Office (non-medical) Parking spaces per thousand sq. ft.	2.0 <sup>1</sup>	2.0
Hotel Parking spaces per room	0.5 – 2.0	0.75

Footnote 1: This is a blended parking ratio requirement assuming that 1/3 of the office space would be on the ground floor and the remaining square footage would be located on upper floors.

The Committee may decide to reduce parking requirements for small amounts of uses that could be particularly useful to the neighborhood, such as incidental retail, small restaurant, etc., where proposed uses were able to share parking resources.

The Committee continues to discuss whether and how to treat residential parking requirements, as the Financial Consultant and the Parking Committee have noted that the market would on average require less parking than zoning currently requires.



# PARKING SUBCOMMITTEE

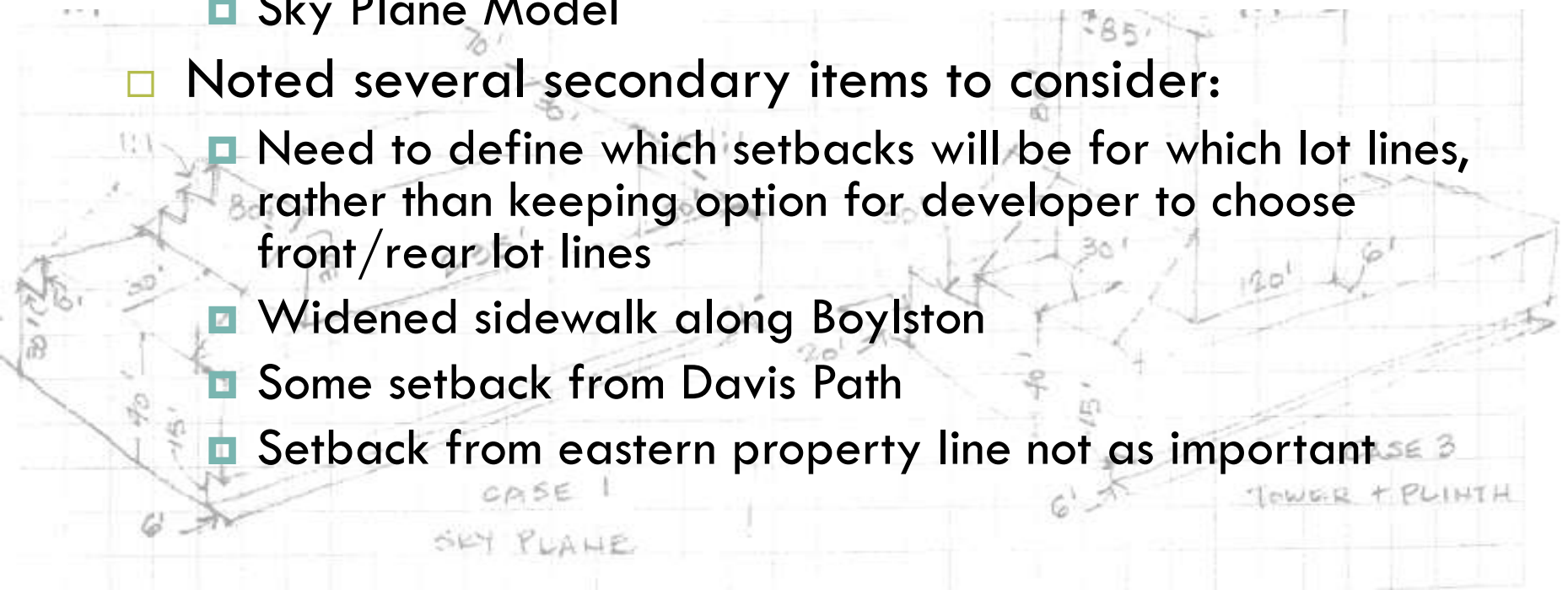
- Analyzed various underground parking schemes including self-park, valet park, stacking mechanisms, and even robotic parking systems
- Excess parking adds additional cost to the building.
- Financial Consultant estimates additional premium (above typical urban site construction costs) for underground parking of approximately \$15-50K per space

# ARCHITECTURAL SUBCOMMITTEE

- Tested and improved existing conditions model with detailed building measurements, comparison of photos and model
- Sought alternative “building envelope” schemes that would have a lesser visual and shadow impact than the Leggat McCall scheme
- Tested specific drop-off and underground parking layouts
- Tested various floor-floor heights based on use
- Concluded that controlling maximum dimensional requirements was a more important factor than a Floor Area Ratio (FAR) standard.

# ARCHITECTURAL SUBCOMMITTEE

- Following several rounds of suggestions with the full Committee, centered around three major building envelope schemes:
  - ▣ Moving Shadows
  - ▣ Bar on Boylston (not as in a place to drink, but shape)
  - ▣ Sky Plane Model
- Noted several secondary items to consider:
  - ▣ Need to define which setbacks will be for which lot lines, rather than keeping option for developer to choose front/rear lot lines
  - ▣ Widened sidewalk along Boylston
  - ▣ Some setback from Davis Path
  - ▣ Setback from eastern property line not as important



# Moving Shadows

View at 12/21/10, noon





# Bar on Boylston



# Sky Plane

View at 12/21/10, noon





# Existing Conditions



# Leggat McCall





# Sky Plane



# Bar on Boylston



# FINANCIAL SUBCOMMITTEE

- Residential is most lucrative from a market perspective
- Residential net revenue benefits to the Town are less than other uses, with the exception of assisted living, an alzheimer's unit, etc. (~\$120K)
- Hotel net fiscal impacts for hotel would be ~\$780K; medical office would be ~\$590K; general office would be ~\$500K
- Following residential use, the most financially feasible use would be medical office or possibly regular office use
- Medical office use may attract owner-occupied user that would be tax exempt (and therefore it is important to make it more enticing for the entire site to be assembled, so that the town-owned parcel is part of the equation)
- Any significant destination retail (greater than 5,000 sq. ft.) is highly unlikely to be a marketable use for this site
- May be more profitable for a developer to pursue only the parcel east of Kerrigan Place

# ZONING OPTIONS

- Propose No Changes – “Do Nothing”
  - ▣ Reverts to G-2.0 for Kerrigan East and Kerrigan West on 8/1/11
  - ▣ E.g., Leggat-McCall
  - ▣ Occurs automatically; requires no Town Meeting action
  
- Propose Temporary Extension of G-1.0
  - ▣ Anything to be gained by further study? Determine fate of subdivision plan?
  - ▣ Could still proceed under G-2.0 with approved plan on Kerrigan East



# ZONING OPTIONS

- Propose Permanent Downzoning
  - ▣ E.g., G-1.0, G-1.75 (45' height, no bonus), create new G-1.5
  - ▣ Unlikely to be economically feasible
  - ▣ Would 2/3 of Town Meeting approve?
  - ▣ If approved by Town Meeting, developer likely to proceed under G-2.0 on Kerrigan East with approved subdivision plan, before losing benefit of “freeze”

# ZONING OPTIONS

- New Special Permit Provisions for this area
- Capitalize on the ability to offer potential benefits to developer not offered by “frozen” G-2.0 zoning
  - ▣ Reduced parking requirements
  - ▣ Consistent zoning east and west of Kerrigan Place
  - ▣ Potential increase in FAR
- Get benefits for neighborhood and Town in exchange
  - ▣ “Sky plane” or other improved building envelope
  - ▣ Setbacks
  - ▣ Tax certainty agreement with Town

# ZONING OPTIONS

For example, new Special Permit provisions for this area

- ▣ Permit parking requirements to be reduced and/or FAR to be increased by special permit
- ▣ IF...
- ▣ Building is within specific setbacks, is within “sky plane” (or other desired envelope), etc.
- ▣ Proposed to Town Meeting IF owner has entered enforceable tax certainty agreement

# ZONING OPTIONS

## □ Questions, details

- Determining new parking requirements – must be adequate for building -- avoid “spillover” and “circling”
- Reduce parking to facilitate uses -- what uses are desirable? Hotel, medical office, assisted living, etc.
- “How deal with residential? School impacts?
- “Live/work”?
- What precise “sky plane” (or other) building envelope?
- Setbacks? Landscaping? Architectural detailing?
- Trade off bigger building for shared parking?
- Base zoning if no special permit – G-1.75?
- Other issues?

# ZONING OPTIONS

- Other Discussion – “Parking Under the Park”
  - ▣ Realistic? Financing?
  - ▣ Potential for use by Red Cab, other properties on Boylston St.
  - ▣ Shared evening use with neighbors?
  - ▣ Would require Article 97 approval



